

**ROSEBUD SIOUX TRIBAL COUNCIL
MEETING MINUTES
JANUARY 21, 2004**

Chairman Charles Colombe called the meeting to order at 10:16 a.m. Roll call was taken with fifteen (15) council representatives answering thereby constituting a quorum. They were as follows:

Darrell Herman	Eddie Farmer	Wayne Boyd
Jo Colombe	Rick Young	Willard Henry
Patsy Valandra	Darlene Metcalf	Marion Young One Star
Robert Becker	Robert Shot	Lenard Wright
Cliff Chasing Hawk	Ken LaDeaux	Glen Quick Bear

Council representatives entering after roll call:

Steve Denoyer Jr.	Heather Burnette	Darrell Marcus
Russell Eagle Bear		

Council representative Rodney Bordeaux was absent.

Other officers present:: Vice Chairman Norman Wilson, Secretary Gerri Night Pipe, Treasurer James Wike and Sergeant At Arms Glen Yellow Eagle.

INVOCATION – Darlene Metcalf gave the invocation.

RESOLUTIONS & MOTIONS – Motion by Rick Young to do just the motions and resolutions today. Seconded by Willard Henry. Questioned by Cliff Chasing Hawk. Vote: 13 for, 03 opposed, 0 not voting. **MOTION CARRIED**

EXCUSES PRESENT/PRIOR MEETINGS – Steve Denoyer Jr. requested to be excused from yesterday's meeting (01/20).

Motion by Wayne Boyd to excused Steve Denoyer Jr. from January 20th meeting. Seconded by Cliff Chasing Hawk. Vote: 16 for, 0 opposed, 0 not voting. **MOTION CARRIED.**

AGENDA APPROVAL – Motion by Rick Young to combine the December & January agendas and to begin where we left off and to get an update from the Chairman on all the motions that were passed. Seconded by Robert Becker. Questioned by Eddie Farmer. Vote: 13 for, 02 opposed, 03 not voting. **MOTION CARRIED**

EDUCATION COMMITTEE – Motion by Lenard Wright to present Resolution 04-03 as emergency legislation. Seconded by Cliff Chasing Hawk. Questioned by Willard Henry. Vote: 16 for, 0 opposed, 02 not voting. **MOTION CARRIED**

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Motion by Lenard Wright to approve Resolution 04-03 to approve an issuance of a Tribal Charter to Sicangu Oyate Head Start Program. Seconded by Rick Young.

Discussion was held on how the finances of the program would be handled once it was approved for a Tribal Charter.

Motion by Russell Eagle Bear to table Resolution 04-03 until documents are brought forth and to take back to where the respective communities and Head Start (centers) are located. Seconded by Robert Becker. Vote: 14 for, 0 opposed, 04 not voting. MOTION CARRIED

After review of the applicants for the at large positions on the Education Committee, the council voted by secret ballot and the results were as follows: **Phyllis White Shield – 11 votes**, June Whipple – 05 votes, **Christine Dunham – 08 votes**, Marian Little Thunder Halmi – 01 vote, Wilbur Smith, Sr. – 05 votes, Michael Crow Eagle, Sr. – 09 votes, Antoinette Miller – 05 votes, Norman Running, Jr. – 03 votes, Ursula Gabriel – 03 votes, Iver Crow, Eagle, Jr. – 02 votes, Leota Iron Cloud – 02 votes.

Motion by Lenard Wright to seat Phylliss White Shield and Christine Dunham on the Education Committee. Seconded by Cliff Chasing Hawk. Questioned by Rick Young. Vote: 12 for, 01 opposed, 05 not voting. MOTION CARRIED

It was a consensus of the council that it would be a conflict of interest for applicant Michael Crow Eagle, Sr. to sit on the Education Committee due to the fact that he is employed by the RST Education Department.

A run-off vote was held between the three tied votes and the results were as follows: June Whipple – 05 votes, **Wilbur Smith, Sr. – 09 votes**, Antoinette Miller – 03 votes.

Motion by Lenard Wright to seat Wilbur Smith, Sr. on the Education Committee. Seconded by Robert Shot. Questioned by Willard Henry. Vote: 11 for, 02 opposed, 05 not voting. MOTION CARRIED

GAMING COMMISSION – Motion by Jo Colombe to approve Resolution 03-299 for its first reading which authorizes Ordinance 03-07 to amend Title 13 of the Law & Order Code to require criminal background checks and drug testing for the RST Gaming Commissioners and staff. Seconded by Steve Denoyer Jr. Questioned by Willard Henry. Vote: 15 for, 01 opposed, 02 not voting. MOTION CARRIED

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Motion by Eddie Farmer to deviate from the agenda and go to the Land & Natural Resources Committee. Seconded by Rick Young. Questioned by Willard Henry. Vote: 10 for, 01 opposed, 07 not voting. MOTION CARRIED

LAND & NATURAL RESOURCES COMMITTEE – Motion by Russell Eagle Bear to approve the Home Site lease applications for: Maria H. Walking Eagle – Parmelee; Guy Lambert – Mission; Ferris LaPointe – Rosebud; Gladys Lee – White River and Home Site lease modification for: Dottie J. Herman to add SWA Corporation. Seconded by Jo Colombe. Questioned by Steve Denoyer Jr. Vote: 16 for, 0 opposed, 02 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve Resolution 03-295 for an exchange assignment approval for Manual G. Chasing Hawk. Seconded by Steve Denoyer Jr. Questioned by Rick Young. Vote: 15 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to reconsider Resolution 03-253. Seconded by Steve Denoyer Jr. Questioned by Willard Henry. Vote: 15 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve Resolution 03-253 as amended with the correct land description, which approve a MOU between the Rosebud Sioux Tribe, West River/Lyman Jones Rural Water System and the Bureau of Reclamation. Seconded by Steve Denoyer Jr. Questioned by Willard Henry. Vote: 15 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve the Home Site lease modification for John Fast Horse – Rosebud to add the SWA Corporation; and Deana Leighton & Dustin Haukaas – Rosebud for a new land description; and the Home Site lease applications for: Marlene Iron Shell – Mission, Charles S. Prue – Okreek and Rosebud Indian Lutheran Church-Clarene Stokebrand – Rosebud. Seconded by Rick Young. Questioned by Robert Becker. Vote: 16 for, 0 opposed, 02 not voting. MOTION CARRIED

Motion by Jo Colombe to approve Resolution 04-02 to amend Ordinance 87-02 to change the title from the Highway Rights Of Way Board to the Transportation Committee. Seconded by Rick Young. Questioned by Willard Henry. Vote: 17 for, 0 opposed, 01 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to present Resolution 04-05 as emergency legislation. Seconded by Jo Colombe. Questioned by Willard Henry. Vote: 16 for, 01 opposed, 01 not voting. MOTION CARRIED

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Motion by Russell Eagle Bear to approve Resolution 04-05 to approve the purchase of a vehicle for the Prairie Management Program. Seconded by Jo Colombe. Questioned by Steve Denoyer Jr. Vote: 14 for, 01 opposed, 04 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to present Resolution 04-06 as emergency legislation. Seconded by Steve Denoyer Jr. Questioned by Eddie Farmer. Vote: 16 for, 0 opposed, 03 not voting. MOTION CARRIED

Motion by Russell Eagle Bear to approve Resolution 04-06 to hire Aaron Swan & Associates to conduct the A/E construction management services for the Soldier Creek road project. Seconded by Steve Denoyer Jr. Questioned by Rick Young. Vote: 16 for, 0 opposed, 03 not voting. MOTION CARRIED

Russell Eagle Bear addressed Syed Huq's termination and the fact that he was given thirty days to work on a report. Discussion was held on the federal disbarment of Mr. Huq and how they would pay him for working on this report and if they could pay him with federal funding.

Motion by Darrell Marcus to table the issue of Syed Huq's federal disbarment and suspension; and that the Federal Agencies, EPA, BIA, the Tribe and Administration set up a field hearing as soon as possible. Seconded by Jo Colombe. Roll call vote was requested by Steve Denoyer Jr. 08 Voting Yes: Darrell Herman, Heather Burnette, Eddie Farmer, Wayne Boyd, Jo Colombe, Darrell Marcus, Robert Becker, Cliff Chasing Hawk. 08 Voting No: Steve Denoyer Jr., Rick Young, Willard Henry, Patsy Valandra, Robert Shot, Ken LaDeaux, Russell Eagle Bear, Glen Quick Bear. 0 Abstained. 04 Absent: Darlene Metcalf, Marion Young One Star, Rodney Bordeaux, Lenard Wright. Chairman Colombe broke the tie and voted Yes. MOTION CARRIED

Motion by Steve Denoyer Jr. that all the correspondence that has transpired between the President's office, Federal Agencies and the BIA be provided to the council (regarding Mr. Huq's issue). Seconded by Willard Henry. Questioned by Eddie Farmer. Vote: 16 for, 0 opposed, 02 not voting. MOTION CARRIED

LUNCH BREAK AT 1:19 P.M./BACK INTO SESSION AT 2:44 P.M.

Motion by Wayne Boyd that we borrow the money to pay Syed Huq out of the excess casino reserve account. Seconded by Cliff Chasing Hawk. Questioned by Willard Henry. Vote: 09 for, 01 opposed, 02 not voting. MOTION CARRIED

Motion by Jo Colombe to reconsider and amend the motion regarding temporary employment at Water Resources and that we employ only budgeted positions and to

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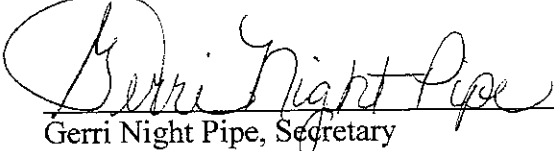
follow the policy and procedures; and that this apply to all programs. Seconded by Willard Henry. Questioned by Rick Young. Vote: 07 for, 06 opposed, 03 not voting. MOTION CARRIED

HOUSING – Peter Reynolds was given the floor to address the eviction of an elder from one of the used trailer houses that were purchased by Housing and sold to tribal members on a payment plan. Discussion.

Motion by Eddie Farmer to have the Sergeant At Arms to request the SWA Board to research the trailer houses and to come back with a report to the Tribal Council on the status. Seconded by Jo Colombe. Questioned by Darrell Marcus. Vote: 15 for, 0 opposed, 0 not voting. MOTION CARRIED

RECESS – Chairman Colombe recessed the meeting until Tuesday at 10:00 a.m.

ATTEST:


Gerri Night Pipe, Secretary
Rosebud Sioux Tribe